

**REMARKS/ARGUMENTS**

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art. Claims 1, 5, 6, 9, 12 and 13 have been amended.

**Rejections under 35 U.S.C. § 102(b)**

Examiner rejected claims 1, 4-6, 9, 12, and 13 as being anticipated by U.S. Patent 5,389,738 by Piosenka.

Applicant respectfully submits that independent claims 1, 5, 9 and 12, as amended, include limitations not taught or suggested by Piosenka. In particular, applicant's independent claims 1, 5, 9, and 12, as amended, include the limitation, or limitation similar thereto, of:

. . . a comparator to compare a reference voltage with a voltage at a node of the first capacitor, wherein the reference voltage is a voltage at a node of a second capacitor. (Applicant's claim 1 as currently amended.)

Piosenka discloses comparing the voltage output of sensors connected to a pair of grid elements that form a capacitor to the reference voltage provided by a zener diode through a reference resistor. (Piosenka, Column 4, lines 64-66). Piosenka further discloses that the zener diode may be replaced with a constant current source in some cases. (Piosenka, Column 5, lines 20-24).

Piosenka, thus, discloses comparators that compare a first capacitor voltage with a reference voltage provided by a zener diode or a constant current source through resistors, which is not equivalent to comparing a first capacitor voltage with a reference voltage at a node of a second capacitor as claimed.

Therefore, considering applicant's independent claims 1, 5, 9, and 12 include limitations that are not disclosed nor suggested by Piosenka, applicant's independent claims are not anticipated by Piosenka.

Furthermore, the remaining claims that were also rejected as being anticipated by Piosenka, depend from one of the independent claims discussed above and therefore also include the distinguishing claim limitations. As a result, the remaining claims are also not anticipated by Piosenka.

**CONCLUSION**

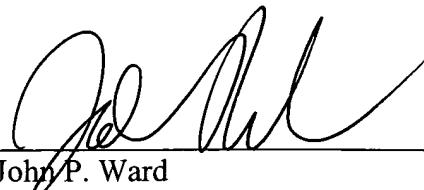
Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call John Ward at (408) 720-8300, x237.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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